

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
§
v. § No. 4:20CR382
§ Judge Jordan
SAAD AZIZ (104) §

ELEMENTS OF THE OFFENSE

You are charged in Count Six of the Fourth Superseding Indictment with a violation of 18 U.S.C. §§ 1349 and 1343, Conspiracy to Commit Wire Fraud. The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of these sections are:

18 U.S.C. § 1349:

1. That two or more persons agreed to commit wire fraud;
2. That the defendant knew the unlawful purpose of the agreement; and
3. That the defendant joined the agreement with the intent to further the unlawful purpose.

18 U.S.C. § 1343:

1. That the defendant knowingly devised or intended to devise any scheme to defraud, that is, such as the scheme set out in the superseding indictment in this case;
2. That the scheme to defraud employed false material representations, false material pretenses, or false material promises;
3. That the defendant transmitted or caused to be transmitted by way of wire communications, in interstate or foreign commerce, any writing, sign, signal, picture, or sound for the purpose of executing such scheme; and
4. That the defendant acted with a specific intent to defraud.

Respectfully submitted,

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/s/
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on February 23, 2023.

/s/
ERNEST GONZALEZ